

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

HERITAGE GUITAR, INC.,

Plaintiff,

v.

GIBSON BRANDS, INC.,

Defendant.

Case No. 20-cv-229

Honorable Hala Y. Jarbou

Magistrate Judge Ray Kent

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**ORDER**

Before the Court is Plaintiff Heritage Guitar, Inc.'s Motion for Partial Judgment on the Pleadings (the "Motion") on the following causes of action: (1) Gibson Brand, Inc.'s ("Gibson") Counterclaims I and III, ECF No. 61; (2) Gibson's Counterclaims II, IV, V, and VI, with respect to Gibson's allegations based on the Les Paul and ES body shape trademarks (*i.e.*, not the GIBSON trademark); and (3) Counts I through V in Heritage's Second Amended Complaint, ECF No. 104. It is hereby ordered that Plaintiff's Motion is **GRANTED**.

**IT IS FURTHER ORDERED** that Gibson's Counterclaims I and III are **DISMISSED**.

**IT IS FURTHER ORDERED** that Gibson's Counterclaims II, IV, V, and VI, with respect to Gibson's allegations based on the Les Paul and ES body shape trademarks are **DISMISSED**.

**IT IS FURTHER ORDERED** that **JUDGMENT WILL ENTER IN HERITAGE'S FAVOR** with respect to Counts I through V in Heritage's Second Amended Complaint.

**SO ORDERED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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Hala Y. Jarbou  
UNITED STATES DISTRICT JUDGE